

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02276-TNM**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF
DEFENSE

Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 10/01/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

JUDICIAL WATCH, INC.

represented by **Eric William Payne Lee**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-0008
Fax: (202) 646-5199
Email: elee@judicialwatch.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF DEFENSE

represented by **Rhonda Lisa Campbell**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2559
Fax: (202) 252-2599
Email: rhonda.campbell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/01/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF DEFENSE (Fee Status: Receipt Number 0090-5714840) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney for the District of Columbia, # <u>3</u> Summons U.S. Attorney General, # <u>4</u> Summons U.S. Department of Defense)(Lee, Eric) (Entered: 10/02/2018)
10/02/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Lee, Eric) (Entered: 10/01/2018)
10/03/2018		Case Assigned to Judge Trevor N. McFadden. (zmd) (Entered: 10/03/2018)
10/03/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF DEFENSE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 10/03/2018)
10/04/2018	<u>4</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 10/04/2018. (lctnm2) (Entered: 10/04/2018)
10/17/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/17/2018. (Answer due for ALL FEDERAL DEFENDANTS by 11/16/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States

		Attorney General. Date of Service Upon United States Attorney General 10/15/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF DEFENSE served on 10/15/2018 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Lee, Eric) (Entered: 10/17/2018)
10/30/2018	<u>6</u>	NOTICE of Appearance by Rhonda Lisa Campbell on behalf of U.S. DEPARTMENT OF DEFENSE (Campbell, Rhonda) (Entered: 10/30/2018)
11/16/2018	<u>7</u>	ANSWER to Complaint by U.S. DEPARTMENT OF DEFENSE.(Campbell, Rhonda) (Entered: 11/16/2018)
11/19/2018	<u>8</u>	Order. The parties shall file a Joint Status Report proposing a schedule for proceeding in this matter no later than December 19, 2018. See attached order for further details. Signed by Judge Trevor N. McFadden on 11/19/2018. (lctnm2) (Entered: 11/19/2018)
11/20/2018		Set/Reset Deadlines: Joint Status Report due by 12/19/2018. (hmc) (Entered: 11/20/2018)
12/11/2018	<u>9</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Lee, Eric) (Entered: 12/11/2018)
12/12/2018		MINUTE ORDER. Upon consideration of the parties' <u>9</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before February 4, 2019, updating the Court on the parties' negotiations and proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. Signed by Judge Trevor N. McFadden on 12/12/2018. (lctnm2) (Entered: 12/12/2018)
12/12/2018		Set/Reset Deadlines: Joint Status Report due by 2/4/2019. (tg) (Entered: 12/12/2018)
01/30/2019	<u>10</u>	NOTICE of Restored Funding by U.S. DEPARTMENT OF DEFENSE (Campbell, Rhonda) (Entered: 01/30/2019)
01/30/2019		MINUTE ORDER. Upon considering the Defendant's <u>10</u> Notice of Restored Government Funding, it is hereby ordered that on or before February 8, 2019, the parties shall meet and confer, and submit a Joint Status Report proposing how they wish to proceed. Signed by Judge Trevor N. McFadden on 01/30/2019. (lctnm2) Modified on 1/30/2019 (hmc). (Entered: 01/30/2019)
01/30/2019		Set/Reset Deadlines: Joint Status Report due by 2/8/2019. (hmc) (Entered: 01/30/2019)
02/01/2019	<u>11</u>	Joint STATUS REPORT (<i>SECOND</i>) by JUDICIAL WATCH, INC.. (Lee, Eric) (Entered: 02/01/2019)
02/04/2019		MINUTE ORDER. Upon considering the parties' <u>11</u> Joint Status Report, it is hereby ordered that on or before March 4, 2019, the parties shall file another Joint Status Report. The status report will update the Court on the parties' negotiations and propose a schedule, if necessary. The schedule should address, among other things, the status of the Plaintiff's FOIA request, the anticipated number of documents responsive to the Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by the Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. Signed by Judge Trevor N. McFadden on 02/04/2018. (lctnm2) (Entered: 02/04/2019)
02/04/2019		Set/Reset Deadlines: Joint Status Report due by 3/4/2019. (hmc) (Entered: 02/04/2019)
03/04/2019	<u>12</u>	Joint STATUS REPORT (<i>THIRD</i>) by JUDICIAL WATCH, INC.. (Lee, Eric) (Entered: 03/04/2019)
03/04/2019		MINUTE ORDER. Upon considering the parties' <u>12</u> Joint Status Report, it is hereby ordered that on or before April 5, 2019, the parties shall file a further Joint Status Report. The status report should update the Court on the Defendant's March 2019 production and propose a schedule for moving forward with this matter. The schedule should address, among other things, the status of the Plaintiff's FOIA request, the

		anticipated number of documents responsive to the Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by the Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. Signed by Judge Trevor N. McFadden on 03/04/2019. (lctnm2) (Entered: 03/04/2019)
03/05/2019		Set/Reset Deadlines: Joint Status Report due by 4/5/2019. (hmc) (Entered: 03/05/2019)
04/04/2019	<u>13</u>	Joint STATUS REPORT (<i>FOURTH</i>) by JUDICIAL WATCH, INC.. (Lee, Eric) (Entered: 04/04/2019)
04/08/2019		MINUTE ORDER. Upon considering the parties' <u>13</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before June 5, 2019. The status report should update the Court on the Defendant's processing of the Plaintiff's FOIA request and propose how the parties would like to proceed in this matter. Signed by Judge Trevor N. McFadden on 04/08/2019. (lctnm2) (Entered: 04/08/2019)
04/08/2019		Set/Reset Deadlines: Joint Status Report due by 6/5/2019. (hmc) (Entered: 04/08/2019)
06/03/2019	<u>14</u>	Joint STATUS REPORT (<i>FIFTH</i>) by JUDICIAL WATCH, INC.. (Lee, Eric) (Entered: 06/03/2019)
06/04/2019		MINUTE ORDER. Upon considering the parties' <u>14</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before August 5, 2019. The Joint Status Report should inform that Court about the status of the Defendant's processing of the Plaintiff's request and how the parties wish to proceed in this matter. Signed by Judge Trevor N. McFadden on 06/04/2019. (lctnm2) (Entered: 06/04/2019)
06/04/2019		Set/Reset Deadlines: Joint Status Report due by 8/5/2019. (hmc) (Entered: 06/04/2019)
08/02/2019	<u>15</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Lee, Eric) (Entered: 08/02/2019)
08/03/2019		MINUTE ORDER. Upon consideration of the parties' <u>15</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before September 13, 2019. The Joint Status Report should inform the Court about the Defendants' processing of the Plaintiff's FOIA request and propose how the parties would like to proceed in this matter. It is further ordered that the parties shall appear for a status conference before Judge Trevor N. McFadden in Courtroom 2 at 10 AM on September 17, 2019. Signed by Judge Trevor N. McFadden on 8/3/2019. (lctnm1) (Entered: 08/03/2019)
08/05/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/13/2019. Status Conference set for 9/17/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 08/05/2019)
09/13/2019	<u>16</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Lee, Eric) (Entered: 09/13/2019)
09/13/2019	<u>17</u>	Joint MOTION to Vacate Order,, by U.S. DEPARTMENT OF DEFENSE (Campbell, Rhonda) (Entered: 09/13/2019)
09/13/2019		MINUTE ORDER. Upon consideration of the parties' <u>16</u> Joint Status Report and the <u>17</u> Joint Motion to Vacate the Status Conference, it is hereby ordered that the parties shall submit a further Joint Status Report on or before October 18, 2019. The status report should advise the Court whether the parties have resolved the outstanding issues with the Defendant's use of Exemption 1 and, if necessary, propose a briefing schedule. It is further ordered that the Status Conference set for September 17, 2019, is hereby rescheduled for October 25, 2019. Signed by Judge Trevor N. McFadden on 09/13/2019. (lctnm2) (Entered: 09/13/2019)